

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**SPECIAL SESSION
May 1, 2006**

The Board of Supervisors of Maricopa County Arizona convened in Special Session at 4:15 p.m., May 1, 2006, in the Sullivan Conference Room, 301 W. Jefferson, Phoenix, Arizona, with the following members present: Don Stapley, Chairman, District 2; Fulton Brock, Vice Chairman, District 1 (via phone), Andrew Kunasek, District 3 (via phone) and Max W. Wilson, District 4. Absent: Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Administrative Coordinator; David Smith, County Manager; Bruce White, Deputy County Attorney. Votes of the Members will be recorded as follows: aye-nay-absent-abstain.

RECESS TO EXECUTIVE SESSION

Pursuant to A.R.S. §38-431.03, et.al., motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to recess and reconvene in executive session for the purpose of obtaining legal advice from the Board's attorney in reviewing matters listed below pursuant to the listed statutory references. All members remained in session when the meeting reconvened.

LEGAL ADVICE; PENDING OR CONTEMPLATED LITIGATION – ARS §38-431.03(A)(3) and (A)(4)

E-1. Litigation concerning a Special Action, Declaratory and Injunctive Relief regarding County Island Fire Districts. CV2006-004754

Chris Keller, Chief Counsel, Civil Division
Bruce White, Deputy County Attorney
Kevin Costello, Deputy County Attorney
Gary Lassen, Outside Counsel

RECONVENE IN OPEN SESSION

Chairman Stapley reconvened the Board in the Supervisors' Conference Room, 301 W. Jefferson, at 4:40 p.m. to vote on the following matter. Supervisors Stapley and Wilson were present, the Clerk confirmed the attendance of Supervisors Brock and Kunasek via phone, and Supervisor Wilcox was absent.

GILBERT COUNTY ISLAND FIRE DISTRICT

Chairman Stapley called for a hearing to address the creation of the Gilbert County Island Fire District and appointment of District Board Members, pursuant to A.R.S. §48-261(H). The validity and sufficiency of signatures on petitions has been determined to be sufficient with more than one half of the aggregate number of real property owners in area of proposed the Gilbert County Island Fire District. (ADM4450)

Chairman Stapley introduced three legislators, Senator Thayer Verschoor, Representative Andy Biggs and Representative Eddie Farnsworth, who were present to support the formation of the Gilbert County Island Fire District. He thanked them for their guidance, support and for taking the time from their busy schedules to attend this meeting.

Supervisor Wilson made a motion to create the Gilbert County Island Fire District. He said, "The Maricopa County Assessor and the Clerk of the Board of Supervisors have determined that the number of verified signatures on the petitions submitted do constitute more than one-half of the aggregate number of owners of all of the real property located in the County islands in the proposed Gilbert County Island Fire District. Therefore, I move that this Board certify the establishment of the Gilbert County Island Fire District. We understand that discussions are presently ongoing between the Arizona Attorney General and the Justice

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Department; and in light of the passage of Justice's 60-day timeline and the emergency nature of this legislation, we need to go forward." Motion was seconded by Supervisor Brock, and unanimously carried (4-0-1).

Regarding the appointment of board members for this Fire District, Supervisor Wilson said, "In addition, I move that we appoint the following qualified electors to the Initial Board of the Gilbert County Island Fire District: Charles Cox, Marci Sale, Donna Davis, Carlos Mejia, Gary Landers."

Motion was seconded by Supervisor Kunasek and carried unanimously (4-0-1).

MEETING ADJOURNED

There being no further business to come before the Board, the meeting was adjourned.

Don Stapley, Chairman of the Board

ATTEST:

Fran McCarroll, Clerk of the Board